

Customer No. 24498
Attorney Docket No. PF030028
Office Action Date: August 4, 2009

PATENT

REMARKS

Claims 1-7, 9-13, 15-19, 21-24, and 27 are pending. The claims are unchanged from the previous response filed April 3, 2009.

The office action dated August 4, 2009, rejects claims 1-7, 9-13, 15-18, 21 and 25 under 35 USC 103(a) over the combination of Benardeau et al. (US 6904522) and Koo et al. (US 2004/0123313), rejects claims 19, 22, 26, and 27 under 35 USC 103(a) over the combination of Benardeau et al., Koo et al., and Akiyama (US 2006/0212399), and rejects claims 23 and 24 under 35 USC 103(a) over the combination of Benardeau et al., Koo et al., Akiyama, and Noble et al. (US 7302571). For the reason discussed below, applicants respectfully traverse the rejections.

Applicants note that all of the asserted rejections rely on combinations of references that include Koo et al. However, applicants submit that Koo et al. is not a valid prior art reference against the present application.

The Koo et al. application was published on June 24, 2004, and filed in the US on December 9, 2003, based on a Korean application filed on December 14, 2002. Therefore, the Koo et al. application has an effective date of December 9, 2003 as prior art. See MPEP 2136.01.

The present application claims priority to French application 03/00941, filed on January 20, 2003, and European application 03291099.4, filed on May 7, 2003. The claim of priority was acknowledged in the Office Action dated November 16, 2006. Therefore, the priority date of the present application predates the effective date of the Koo et al. application, and the Koo et al. application is not valid prior art against the present claims.

In view of the foregoing, Applicants respectfully request that the rejection of the claims set forth in the Office Action of August 9, 2009 be withdrawn, that the pending claims be allowed, and that the case proceed to early issuance of Letters Patent in due course.

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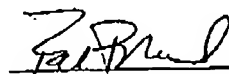
No fee is believed due with regard to the filing of this amendment. However, if a fee is due, please charge Deposit Account No. 07-0832.

Respectfully submitted,

Philippe Leyendecker

By:

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